

Wetlands Bureau Decision Report

Decisions Taken
09/28/2009 to 10/04/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-00354 WASTE MGMT OF NH INC
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill a total of 64,380 sq. ft. of man-made wetlands, including 54,037 sq. ft. of impact for lot development to construct a new medical waste processing facility within an existing waste facility, and impact 10,703 sq. ft. for rip rap stabilization of an existing eroded drainage outlet ravine.

Approve as mitigation creation of 84,576 sq. ft. of new wetlands on the same site, as a expanded replacement for the filled wetlands.

Inspection Date: 06/11/2009 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 64,380 sq. ft. of man-made wetlands, including 54,037 sq. ft. of impact for lot development to construct a new medical waste processing facility within an existing waste facility, and impact 10,703 sq. ft. for rip rap stabilization of an existing eroded drainage outlet ravine.

Approve as mitigation creation of 84,576 sq. ft. of new wetlands on the same site, as a expanded replacement for the filled wetlands.

With Conditions:

1. All work shall be in accordance with plans by SHA dated February 2009, as received by DES on 2/27/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Pease District Office to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Silt fencing must be removed once the area is stabilized.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Work shall be done during low flow.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

Wetland construction:

1. This permit is contingent upon the creation/restoration of 84,576 sq. ft. of wetlands in accordance with plans received 2/27/2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.

4. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. Wetland creation/restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
8. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
9. Wetland creation/restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
10. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
11. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of non-tidal wetlands in excess of 20,000 sq. ft. in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01 as follows:
 - a. The project will create a necessary facility to sterilize medical waste prior to its disposal in the waste facility's landfill section.
 - b. The project provides public benefit by providing a medical waste treatment facility where none currently exists in NH. The project is supported by the NH Hospital Association, and the project is contributes to meeting the goals of the State Solid Waste Management Plan.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as follows:
 - a. The site was selected due to its previously disturbed character, originally having been upland cleared and built as a stockpile area with associated constructed detention structures approved under DES Site Specific Permit WPW-1510.
 - b. No naturally occurring, undisturbed wetlands are to be impacted for the facility construction, and the applicant is re-creating and adding new wetlands at the 1:1 ratio required by Chapter Env-Wt 800, in place of the detention wetlands lost.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project category.
5. Field inspection by DES on 6/11/2009 confirmed that the wetlands to be impacted consisted of man-made wetlands resulting from detention and outlet construction and stockpiling of materials, and are low-functioning and full of invasive species. Field inspection further confirmed the need for the proposed stabilization of the extremely eroded outlet channel ravine exiting the former detention area at the southerly side of the site.
6. The Isinglass River Local Advisory Committee has no objection to the project, per email communication dated 4/20/2009.
7. The Rochester Conservation Commission did not report.
8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is

not of substantial public interest, and will not have a significant impact on or adversely affect the values of resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2005-00867 DJP REALTY TRUST, C/O CORPORATE SERVICE CO
ROCHESTER Unnamed Wetland

Requested Action:

Change name to Brookside Rochester Subdivision, LLC and the new owner requests amendment to the mitigation proposal.

Conservation Commission/Staff Comments:

ARM Fund payment \$49,663.74.

APPROVE AMENDMENT:

Approve name change to Brookside Rochester Subdivision, LLC, PO Box 262, Mahopac, NH 10542.

Amend permit to read:

Dredge and fill a total of 7,200 sq. ft. of wetlands to install two roadway crossings in the final 21-lot phase of a 68-lot subdivision on 45.44 acres, including 6,100 sq. ft. of impact and installation of a 18" x 60' culvert, and 1,100 sq. ft. of crossing impact.

Approve compensatory mitigation for the combined total wetlands impact of 14,100 sq. ft. (including phase I, permit 2003-639 for 6,900 sq. ft., and this phase for 7,100 sq. ft.) to be completed through a payment to the Aquatic Resource Mitigation Fund of \$49,663.74 into the Salmon Falls - Piscataqua River watershed.

With Conditions:

With amended conditions:

1. This approval is contingent on receipt by DES of a one time payment of \$49,663.74 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the Department will consider permit revocation.
2. All work shall be in accordance with plans by Norway Plains Inc. dated November 2004, as received by the Department on 5/2/2005.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Silt fencing must be removed once the area is stabilized.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

16. Proper headwalls shall be constructed within seven days of culvert installation.

17. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

19. Work shall be done during low flow.

With Findings:

With amended findings:

1. The name change reflects the new owner of the property.

2. The original mitigation proposal for funds to be provided to the Strafford Rivers Conservancy is no longer a potential mitigation option.

3. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.

4. The payment calculated for the proposed wetland loss equals \$49,663.74.

5. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit to Brookside Rochester Subdivision, LLC in accordance with Env-Wt 803.08(f).

6. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls-Piscataqua watershed per RSA 482-A:29.

2006-00232 BRADY SULLIVAN PAUGUS WOODS LLC
LACONIA Unnamed Wetland

Requested Action:

Approve name change to: Brady Sullivan Paugus Woods LLC, 670 North Commercial St. Suite 303, Manchester, NH 03101 per request received 9/28/09. Previous owner: Paugus Woods LLC.

APPROVE NAME CHANGE:

Dredge and fill a total of 4129 square feet including culvert installation for the construction of an emergency access road to service a previously approved subdivision.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering dated October 2005, and revised through April 5, 2006, as received by the Department on April 10, 2006.

2. This permit is contingent on approval by the DES Site Specific Program.

3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

4. The deed which accompanies the sales transaction for each of the units in this subdivision shall contain condition #3 of this approval.

5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Work shall be done during low flow.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2007-01057 PLAMONDON, WILFORD
GRANTHAM Unnamed Stream

Requested Action:

Retain two bridge abutments and restore the stream channel of Butternut Brook, a perennial stream, impacting 3,382 square feet and 195 linear feet, for access to a single family building lot. Impacts involve 2,565 square feet of permanent impacts to the bank and 817 square feet of temporary impacts to restore the stream bed.

APPROVE AFTER THE FACT:

Retain two bridge abutments and restore the stream channel of Butternut Brook, a perennial stream, impacting 3,382 square feet and 195 linear feet, for access to a single family building lot. Impacts involve 2,565 square feet of permanent impacts to the bank and 817 square feet of temporary impacts to restore the stream bed.

With Conditions:

1. No further wetland impacts will occur during the completion of the bridge.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Replacement of the bridge shall not be considered or approved until a complete drainage analysis and assessment has been conducted by the applicant.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. A complaint for activities on this parcel was received by the DES Wetlands Bureau on May 14, 2007.
3. DES Wetlands Bureau compliance staff conducted field inspections of the site on May 14, 2007; October 13, 2007 and August

06, 2008.

4. A Restoration Plan Approval was issued by DES on September 05, 2008.
5. Condition #3 of the Restoration Plan Approval stated that to retain the abutments a Wetlands Standard Dredge and Fill "after-the-fact" application must be submitted to DES for review.
6. The Standard Dredge and Fill Application was received on January 16, 2009.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
9. The existing channel banks are vegetated and the toes stabilized with river stone. The banks will be allowed to overgrow with larger scrub vegetation over time.
10. A Certified Professional in Erosion and Sediment Control (CPESC) stated that there is no evidence of erosion or scouring along the restored embankments or between the two concrete abutments following a 50-year 6-hour rainfall event.
11. No further wetland impacts will occur during the completion of the bridge construction.
12. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.

2009-00998 HALL REVOC TRUST, BRADFORD
GILFORD Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of the Departments decision to deny the applicants request to construct a 360 sq ft perched beach on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com has no concerns

DENY RECONSIDERATION:

Deny applicants reconsideration to construct a 360 sq ft perched beach on Lake Winnepesaukee, Gilford.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a minor impact per Rule Env-Wt 303.03(g), "removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters."
3. In accordance with RSA 482-A:10,II, "A request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order. The request for reconsideration shall describe in detail each ground for complaint. No ground not set forth in the request for reconsideration shall be considered by the council, or by the superior court except as provided in paragraph VIII of this section."

Findings of Fact

1. On May 19, 2009, the Wetlands Bureau received an application for impacts, on the lot identified as Gilford tax map 219, lot 006, block 007, (the "Lot") to construct a 360 sq ft perched beach on Lake Winnepesaukee, Gilford.
2. The plan submitted in support of the application indicates the proposed beach will be constructed in slopes which exceed 34% grade.
3. Review of plans on file with the Department in support of the subdivision and Subsurface approval, CA2007089774 and SA2005006215, indicate the entire frontage has slopes in excess of 34%.
4. On August 04, 2009, the Wetlands Bureau denied the Applicant's request to construct a 360 sq ft perched beach in slopes exceeding 25%.
5. On September 02, 2009, the Applicant submitted a Motion for Reconsideration to the Wetlands Bureau. The information

submitted included the same two overview plans and a similar cross sectional plan of the frontage as originally submitted. The cross sectional plan still indicated slopes in excess of 34% grade.

Rulings in Support of Denial

1. The Applicant did not submit any new information to the file in support of the application, therefore pursuant to RSA 482-A:10 the Department reaffirms the findings of the original decision and the reconsideration is denied.

2009-01185 HAMILTON, DENIS **WARNER Tributary To Warner River**

Requested Action:

Dredge and fill \pm 8,800 sq. ft. of intermittent stream and associated palustrine forested wetlands to install a 10-foot x 3-foot x 37-foot and 10-foot x 3-foot x 40-foot steel arched open bottom culvert (two separate crossings along a single intermittent stream) for revised access to an existing gravel pit.

APPROVE PERMIT:

Dredge and fill \pm 8,800 sq. ft. of intermittent stream and associated palustrine forested wetlands to install a 10-foot x 3-foot x 37-foot and 10-foot x 3-foot x 40-foot steel arched open bottom culvert (two separate crossings along a single intermittent stream) for revised access to an existing gravel pit.

With Conditions:

1. All work shall be in accordance with plans by A.C. Engineering & Consulting dated May 05, 2009, as received by the DES Wetlands Bureau on June 10, 2009, and Subdivision Plans by J.E. Belanger Land Surveying, PLLC dated February 04, 2009, as received by the DES Wetlands Bureau on June 10, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 3 of this approval.
5. Work shall be done during low flow conditions.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Culverts shall be laid at original grade.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of wetlands.
2. In correspondence dated July 22, 2009, the Department of the Army, New England District, Corps of Engineers (ACOE) stated the project was ineligible for authorization under the New Hampshire Programmatic General Permit (PGP) because the Environmental Protection Agency (EPA) expressed concerns related to the project. Concerns include the absence floodplain identification detail (losses and mitigation) and the lack of identification of buffers to the Warner River.
3. In email correspondence received September 22, 2009, the EPA indicated the Applicant had responded to their comments and the project was eligible to move forward for approval under the PGP.
4. The Natural Heritage Bureau (NHB) report indicates there are no known occurrences of sensitive species in the project vicinity.
5. NHDES Alteration of Terrain Program approval for the subject parcel has been issued, AOT-0025.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-01240 NEW ENGLAND COLLEGE, PAULA AMATO
HENNIKER Unnamed Wetland**

Requested Action:

Dredge and fill 6,948 sq. ft. of palustrine forested and scrub-shrub wetlands (100 year floodplain) for the conversion of an existing parking lot into an artificial turf athletic field.

APPROVE PERMIT:

Dredge and fill 6,948 sq. ft. of palustrine forested and scrub-shrub wetlands (100 year floodplain) for the conversion of an existing parking lot into an artificial turf athletic field.

With Conditions:

1. All work shall be in accordance with plans by Sebago Technics dated February 18, 2009, and revised through June 11, 2009, and plans dated May 27, 2009, and revised through June 10, 2009, as received by NHDES on June 15, 2009.
2. This permit is contingent on compliance with the Compensatory Mitigation Plan for Vernal Pool Impacts prepared for New England College, prepared by Sebago Technics, Inc. dated September 2009 (including pages 1-7 and attachments A-D), as received by the NHDES Wetlands Bureau on September 17, 2009.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of wetlands.
2. The proposed field is designed to meet minimal dimensions for an NCAA collegiate soccer field.
3. The athletic field location was chosen for the close proximity to the field house and campus.
4. There is no stormwater treatment associated with the existing parking area. The proposed artificial turf field is designed to allow stormwater to filter through a media and out through porous retaining wall into adjacent uplands and wetlands.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
6. The NHDES Shoreland Permit was issued on July 06, 2009 (2009-01169).
7. The NHDES Alteration of Terrain Program approval was issued on September 25, 2009, (AOT-0041).
8. In email correspondence received August 21, 2009, the Contoocook River North Branch Local Advisory Committee (CNBLRAC) indicated they were aware of the application and may comment at a later date.
9. Additional CNBLRAC comments were not received.
10. The proposed wetland impacts include direct impacts to four (4) vernal pools.
11. In correspondence dated July 22, 2009, the Department of the Army, New England District, Corps of Engineers (ACOE) stated the project was ineligible for authorization under the New Hampshire Programmatic General Permit (SPGP) because the Environmental Protection Agency (EPA) expressed concerns related to the project. Concerns include the lack of mitigation (five to six vernal pools) for the three vernal pools that will be filled. An ecological survey that includes a vernal pool survey for the remainder of the land owned by the college was also requested.
12. The Applicant prepared and submitted a vernal pool mitigation plan, which includes a deadline for the EPA requested ecological survey.
13. In email correspondence reviewed September 17, 2009, the EPA indicated the project was eligible for SPGP approval is the NHDES Wetlands Bureau approval was contingent on the vernal pool mitigation plan.
14. This permit is contingent on compliance with the Compensatory Mitigation Plan for Vernal Pool Impacts prepared for New England College, prepared by Sebago Technics, Inc. dated September 2009, as received by the NHDES Wetlands Bureau on September 17, 2009.
15. In the Town of Henniker, Board of Selectmen, May 05, 2009, Adopted Meeting Minutes the Board voted unanimously to approve the widening and relocating of the Class VI portion of Grove Street and to allow positioning of seasonal bleachers and a light pole in what will become the former right-of-way, as proposed in engineering plans, dated April 27, 2009.
16. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
17. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES Wetlands Bureau jurisdiction per Env-Wt 302.03.
18. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01533 ASHLAND, TOWN OF
ASHLAND Unnamed Stream

Requested Action:

Proposal to fill 25 sq. ft. of wetlands and bank and temporarily impact 805 sq. ft. bank and river bed "Squam River" for construction of a new prefabricated bridge on existing bridge abutments and associated concrete repairs.

APPROVE PERMIT:

Fill 25 sq. ft. of wetlands and bank and temporarily impact 805 sq. ft. bank and river bed "Squam River" for construction of a new prefabricated bridge on existing bridge abutments and associated concrete repairs.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying Inc., dated June 22, 2009, as received by DES on

July 10, 2009.

2. The Town shall obtain temporary construction easements or written permission (if applicable) from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements or permission to DES Wetlands File No. 2009-01522 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The bridge is in need of repair and is on the State's "Red List".
6. The new bridge deck will allow for an additional two feet of clearance under the bridge.
7. The project results in only 25 sq. ft. of permanent wetlands impact.
8. The applicant has indicated that storm water runoff currently drains to the surface water through paved sluiceways and over gravel side slopes. The new work adds deep sub sediment catch basins and stone outfalls.

Requested Action:

Dredge and fill 1518 sq ft of bank and lakebed to repair a public boat ramp by replacing the existing 1-foot wide by 12-foot long concrete planks with larger, re-designed 3-foot wide by 12-foot long concrete planks, replace class "C" bedding stone, and add a 4 ft by 4 ft by 12 ft concrete anchor at the most landward end of the ramp.

Conservation Commission/Staff Comments:

No comments from Con Com as of 09/29/09

APPROVE PERMIT:

Dredge and fill 1518 sq ft of bank and lakebed to repair a public boat ramp by replacing the existing 1-foot wide by 12-foot long concrete planks with larger, re-designed 3-foot wide by 12-foot long concrete planks, replace class "C" bedding stone, and add a 4 ft by 4 ft by 12 ft concrete anchor at the most landward end of the ramp.

With Conditions:

1. All work shall be in accordance with plans by the New Hampshire Fish & Game Department dated June 5, 2009, as received by the Department on July 24, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be conducted during low lake level conditions.
4. Appropriate siltation, erosion, and turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Lake Umbagog.
6. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
7. The boat ramp shall be utilized indefinitely as a public access to Lake Umbagog and shall not change in use.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(a).
2. The project was necessary to restore the safety and availability of this boat ramp on Umbagog Lake to full use by the public.
3. The proposed work was previously approved under Wetlands permit 2002-00769 and not completed.

2009-01831 COUNTY OF BELKNAP
GILFORD Poorfarm Brook

Requested Action:

Dredge and fill approximately 3550 sq. ft. (includes 1250 sq. ft. of temporary impacts) of stream bank ("Poor Farm Brook") and wetlands for the removal an existing 20 ft. span x 8 ft. high x 22 ft. long concrete bridge and replace with an approximately 24 ft. span x 10 ft. high (from footings) x 36 ft. long pre-cast concrete frame arch bridge and impacts to associated wetlands for drainage improvements along Area Road.

APPROVE PERMIT:

Dredge and fill approximately 3550 sq. ft. (includes 1250 sq. ft. of temporary impacts) of stream bank ("Poor Farm Brook") and wetlands for the removal an existing 20 ft. span x 8 ft. high x 22 ft. long concrete bridge and replace with an approximately 24 ft. span x 10 ft. high (from footings) x 36 ft. long pre-cast concrete frame arch bridge and impacts to associated wetlands for drainage improvements along Area Road.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying Inc., dated August 4, 2009, as received by DES on August 11, 2009 and revised plan sheet 4 of 5 revision dated September 17, 2009 and narratives, as received by DES on September 22, 2009.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Any temporary impacts to the streambed that are outside of the proposed footing protection shall be restored with native stream bed material and shall not include the use of angular rip-rap.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
14. A post-construction report documenting the status of the restoration area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The bridge is in need of repair and is on the State's "Red List".
6. The new bridge is a larger structure and will pass a 100 year storm event.
7. The New Hampshire Fish and Game Department approved of the proposed structure based on information submitted to them by the applicant's agent.
8. The proposed project will not impact the main channel of the stream.
9. The Conservation Commission commented that they had no objection to the project and recommended normal siltation devices.
10. The project is being funded by the American Recovery and Reinvestment Act.

**2009-01832 NH DRED
STRATFORD Farrer Brook**

Requested Action:

Dredge and fill 2,260 square feet of wetland to construct a gravel road, install a 24" x 30' culvert at 2 locations for wetland flows, and install a 30' bridge that spans beyond the banks of Upper Farrer Brook that is geomorphically transparent. This new road alignment will allow the removal of a previously existing road and culverts that preclude fish passage and natural sediment transport. The exiting road removal will result in the restoration of approximately 5,600 square feet of wetlands by removing road fill and two 24" culverts within Upper Farrer Brook that are perched and undersized. This project is part of the Nash Stream Restoration Project located within the Nash Stream State Forest.

APPROVE PERMIT:

Dredge and fill 2,260 square feet of wetland to construct a gravel road, install a 24" x 30' culvert at 2 locations for wetland flows, and install a 30' bridge that spans beyond the banks of Upper Farrer Brook that is geomorphically transparent. This new road alignment will allow the removal of a previously existing road and culverts that preclude fish passage and natural sediment transport. The exiting road removal will result in the restoration of approximately 5,600 square feet of wetlands by removing road fill and two 24" culverts within Upper Farrer Brook that are perched and undersized. This project is part of the Nash Stream Restoration Project located within the Nash Stream State Forest.

With Conditions:

1. All work shall be in accordance with the revised plans by the NH Fish & Game Department that were received by DES on September 25, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Proper headwalls shall be constructed over the culvert ends within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is part of several stream restoration projects being conducted within the Nash Stream State Forest by the NH Fish & Game Department, the DRED Division of Forest & Lands, and Trout Unlimited.

MINIMUM IMPACT PROJECT

2008-02632 DUBLIN LAKE CLUB
DUBLIN Unnamed Wetland

Requested Action:

Proposal to add a portion of maintenance dredging to the project for proper drainage.

APPROVE AMENDMENT:

Dredge and fill \pm 2,665 square feet of wet meadow and drainage swale to install perforated drainage pipes and to improve fairway drainage at the Dublin Lake Club.

With Conditions:

1. All work shall be in accordance with plans by TFM dated November 29, 2007, and revised through September 21, 2009, as received by the Department on September 21, 2009.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. No comments were submitted from federal agencies, the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
3. The applicant has relocated the perforated pipe outlets from the intermittent tributary to Mountain Brook to the existing perforated pipes that outlet to a created drainage swale that flows to Mountain Brook.
4. The applicant has confirmed the Dublin Lake Club does not irrigate and has revised the Lawn Fertilizer and Integrated Pest Management Plan to incorporate comments provided by the DES Watershed Management Bureau.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00453 BLONDEAU, RAYMOND
HAMPTON Tidal Buffer

Requested Action:

Impact 540 sq. ft. within the previously developed tidal buffer zone to remove an existing deteriorated chain link fence and the landward portion of the existing earthen berm and construct 175 linear feet of concrete block retaining wall to a maximum height of 4 feet and construct a 313 sq. ft. rain garden in the southeast corner of the lot for improved site drainage.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of a wetlands permit for construction of a concrete block wall landward side of an existing berm within the State Jurisdictional Wetlands."

Inspection Date: 08/26/2009 by Frank D Richardson

APPROVE PERMIT:

Impact 540 sq. ft. within the previously developed tidal buffer zone to remove an existing deteriorated chain link fence and the landward portion of the existing earthen berm and construct 175 linear feet of concrete block retaining wall to a maximum height of 4 feet and construct a 313 sq. ft. rain garden in the southeast corner of the lot for improved site drainage.

With Conditions:

1. All work shall be in accordance with plan by Jones & Beach Engineers, Inc. dated 7/6/09 (issued for review 7/7/09), as received by DES on August 31, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Exceptional care shall be taken to maintain approximately 1/2 the thickness of the existing vegetated berm closest to the salt marsh and to backfill against the new wall and plant with native tidal buffer zone species.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01569 GABRIELLI, GABRIELLO
HAMPTON Unnamed Wetland

2009-01908 LYME, TOWN OF
LYME Grant Brook

Requested Action:

Repair a culvert headwall involving no change in location, configuration, construction type, or dimensions.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm emergency authorization to repair a culvert headwall involving no change in location, configuration, construction type, or dimensions.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet, provided: (1) No change in location, configuration, construction type, or dimensions is proposed; and (2) The applicant certifies in writing that the structure, in its current location, configuration, construction type and dimensions: Was previously permitted by the department and has not been abandoned; or b. Would be considered grandfathered under Env-Wt 101.43 and has not been abandoned.
2. The emergency repairs were needed to protect the existing culvert and roadway and provide safe roadway passage for the public.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on August 25, 2009.
4. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

FORESTRY NOTIFICATION

2009-02156 HOLLAND, DICK & DELORES
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Deerfield Tax Map 424, Lot# 95

2009-02158 WHITE, PAM
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:

Jaffery Tax Map?lot# 248/1,6 & 249/1

2009-02173 BINDER, GARY
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 230, Lot# 49

2009-02174 MAGDALEN COLLEGE
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 18, lot# 37

2009-02175 NH DRED
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 5, Lot# 17

2009-02176 ALLEN, BRUCE
CENTER HARBOR Unnamed Stream

COMPLETE NOTIFICATION:
Center Harbor Tax Map 3, Lot# 96

2009-02178 TIMBERVEST PARTNERS NH LLC, C/O LANDVEST INC
GROTON Unnamed Stream

COMPLETE NOTIFICATION:
Groton Tax Map/Lot# 4/1 & 3/14,16

2009-02179 WALDRON BAY LOT OWNERS ASSOC
MEREDITH Unnamed Stream

COMPLETE NOTIFICATION:
Meredith Tax MAp R27, Lot# 3-1 & 4

2009-02181 GLASS, KERRY
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Tax Map 5, Lot# 22

2009-02182 MILFORD CONSERVATION COMMISSION
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 52, Lot# 18

2009-02183 LADD, PETER
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax MAp 16, Lot# 23

2009-02184 BLACK BROOK REALTY TRUST, LINDA GRIFFIN
HILL Unnamed Stream

COMPLETE NOTIFICATION:
Hill Tax Map 12, Lot# 6

EXPEDITED MINIMUM

2009-01696 YORK REVOC TRUST, SUSAN YORK
NEWBURY Lake Sunapee

Requested Action:

Repair an existing "Y" shaped docking structure consisting of two 6 ft x 14 ft docks accessed by an 8 ft x 16 ft and two 6 ft x 10 ft docks, supported by tow 6 ft x 14 ft cribs and one 4 ft x 14 ft crib on an average of 226 ft of frontage on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing "Y" shaped docking structure consisting of two 6 ft x 14 ft docks accessed by an 8 ft x 16 ft and two 6 ft x 10 ft docks, supported by tow 6 ft x 14 ft cribs and one 4 ft x 14 ft crib on an average of 226 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated September 04, 2009, as received by DES on September 08, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02130 JACKSON, TODD & TARA
SUTTON Unnamed Wetland

Requested Action:

Dredge and fill \pm 338 sq. ft. of palustrine forested wetlands for driveway access a garage for a single family building lot.

APPROVE PERMIT:

Dredge and fill \pm 338 sq. ft. of palustrine forested wetlands for driveway access a garage for a single family building lot.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated August 29, 2009, as received by the Department on September 17, 2009.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The application confirms the proposed access to not a subdivision.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

**2009-02249 BELMONT, TOWN OF
BELMONT Unnamed Stream**

COMPLETE NOTIFICATION:
Belmont Tax Map 5, Lot# 569

ROADWAY MAINTENANCE NOTIF

**2009-02197 NH DEPT OF TRANSPORTATION
PORTSMOUTH Drainage Swale**

PERMIT BY NOTIFICATION

**2009-01892 GUNSTOCK BROOK CONSTRUCTION LLC
LACONIA Lake Winnepesaukee**

Requested Action:
Repair existing docking structures.

Conservation Commission/Staff Comments:
Con Com did not sign PBN form

PBN IS COMPLETE:
Repair existing docking structures.

With Findings:
1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2009-01909 CENTER HARBOR, TOWN OF
CENTER HARBOR Squam Lake**

Requested Action:
Proposal for installation of a dry hydrant.

Conservation Commission/Staff Comments:
1. The Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN complete to impact up to 10 linear ft. x 200 sq. ft. in jurisdictional wetlands for installation of a dry hydrant and restoration of the associated bank impacts in-kind.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant and Administrative Rule Env-Wt 506.01(a)(6) The excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w).

2009-02026 HUGHES JR, DONALD & PEGGY
ALTON Lake Winnepesaukee

Requested Action:

Repair existing docking structures.

Conservation Commission/Staff Comments:

Con Com signed PBN on 09/02/09

PBN IS COMPLETE:

Repair existing docking structures.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02194 ROY, E H
STEWARTSTOWN Big Diamond Pond

Requested Action:

Install anchor pad and seasonal dock.

Conservation Commission/Staff Comments:

Con Com signed PBN form on Sept 21, 2009

PBN IS COMPLETE:

Install anchor pad and seasonal dock.

With Findings:

Install a seasonal dock and anchor pad pursuant to Env-Wt 303.04(a) and Env-Wt 303.04(ab).

2009-02224 LEBRECQUE, JOSEPH & SUZANNE
SALEM Arlington Mills Reservoir

Requested Action:

Repair of existing retainine walls and repair of existing docking structure.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

With Findings:

1. Disqualified Permit By Notification form pursuant to Env-Wt 502.04 Repair or Rebuilding Structures, and Env-Wt 501.04(f), After the fact applications shall not be expedited.
2. Pursuant to Env-Wt 101.73, "Repair means the restoring of an existing legal structure by partial replacement of worn, broken, or unsound parts"
3. The applicant has pending open compliance with the Department on this frontage for these structures.

CSPA PERMIT

2009-01648 FARR, MARK
BATH Connecticut River

Requested Action:

Impact 3,128 sq ft for construction of single family home.

APPROVE PERMIT:

Impact 3,128 sq ft for construction of single family home.

With Conditions:

1. All work shall be in accordance with plans by Harry Burgess dated May 9, 2009 and received by the Department of Environmental Services ("DES") on July 20, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 3.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 52,272 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 43,560 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-01845 HARWOOD, MATTHEW
SUNAPEE Lake Sunapee

Requested Action:

Impact 7,582 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

APPROVE PERMIT:

Impact 7,582 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

With Conditions:

1. All work shall be in accordance with plans submitted by CLD Consulting Engineers received by the Department of Environmental Services ("DES") on August 19, 2009 September 23, 2009.
2. No more than 22.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,995 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,537 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All stormwater control shall be designed to effectively absorb and infiltrate stormwater.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit is contingent on approval by the DES Subsurface Systems Bureau.
14. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

2009-01927 SNYDER, JERRY & DIANE
WASHINGTON Millen Pond

Requested Action:

Impact 100 sq ft for installation of french drain.

With Conditions:

1. All work shall be in accordance with plans by Lou Iadonisi dated October 1, 2009 and received by the Department of Environmental Services ("DES") on October 1, 2009.
2. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,560 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1560 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-01989 FRANKS, LARRY/SUSAN
CANAAN Canaan Street Lake

Requested Action:

Impact 7,250 sq ft for reconstruction of an existing residence and driveway.

APPROVE PERMIT:

Impact 7,250 sq ft for reconstruction of an existing residence and driveway.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering dated August 24, 2009 and received by the Department of Environmental Services ("DES") on September 2, 2009.
2. All actions associated with the installation of any proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,670 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,254 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02038 SCHWARTZ, JED/NANCY
WASHINGTON Mill Pond

Requested Action:

Impact 288 sq ft for the purpose of upgrading an existing stormwater management system.

APPROVE PERMIT:

Impact 288 sq ft for the purpose of upgrading an existing stormwater management system.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated August 18, 2009 and received by the Department of Environmental Services ("DES") on August 8, 2009.
2. No more than 10.54% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-02040 CURRIER, E JANE/WALLACE
EAST ANDOVER Highland Lake

Requested Action:

Impact 10,095 sq ft for the purpose of constructing a new residential dwelling, associated and accessory structures and installation of a new septic system.

APPROVE PERMIT:

Impact 10,095 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Granite State Septic Designs, LLC., dated, September 1, 2009 and received by the Department of Environmental Services ("DES") on September 4, 2009.
2. No more than 5.73% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-02041 VALONA, FRANK & JUDITH
PITTSBURG Lake Francis

Requested Action:

Impact 11,323 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

APPROVE PERMIT:

Impact 11,323 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Karen L. Dickson of North Country Septic Design dated September 18, 2009, and received by the Department of Environmental Services ("DES") on September 4, 2009.
2. No more than 12.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 81 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state 4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-02043 CAIL, RANDALL & SARAH
GILFORD Lake Winnepesaukee

Requested Action:

Impact 12,250 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

APPROVE PERMIT:

Impact 12,250 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 26, 2009 and received by the Department of Environmental Services ("DES") on September 4, 2009.
2. No more than 28.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,880 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
15. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V(a).
6. The proposed stormwater management plan shall be designed, implemented and maintained to effectively infiltrate and absorb stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2009-02054 ROBBINS, ROSS
WAKEFIELD Pine River Pond

Requested Action:

Impact 140 sq ft to construct a wooden stairway and landings within the waterfront buffer.

APPROVE PERMIT:

Impact 140 sq ft to construct a wooden stairway and landings within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Landtech dated August 1, 2009 and received by the Department of Environmental Services ("DES") on September 8, 2009.
2. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,600 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,342 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02055 DUFFY, MARK
WAKEFIELD Lovell Lake

Requested Action:

Impact 6,851 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

APPROVE PERMIT:

Impact 6,851 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Land Tech and received by the Department of Environmental Services ("DES") on September 9, 2009.
2. No more than 17.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,709 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,530 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state 4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-02056 OSHAUGHNESSY, DANIEL & BARBARA
TILTON Lake Winnisquam

Requested Action:

Impact 956 sq ft for the purpose of expanding an existing residential dwelling, deck and new patio.

APPROVE PERMIT:

Impact 956 sq ft for the purpose of expanding an existing residential dwelling, deck and new patio.

With Conditions:

1. All work shall be in accordance with plans by Jeff Hinds and received by the Department of Environmental Services ("DES") on September 8, 2009.
2. No more than 13.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 600 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state 4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-02057 HENNESSY, R BRIAN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 4,691 sq ft for the purpose of constructing a new garage, expanding an existing driveway and installation of a new septic system.

APPROVE PERMIT:

Impact 4,691 sq ft for the purpose of constructing a new garage, expanding an existing driveway and installation of a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 28, 2009 and received by the Department of Environmental Services ("DES") on September 9, 2009.
2. No more than 12.10% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,234 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,392 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-02059 SALISBURY, TOWN OF
SALISBURY Blackwater River

Requested Action:

Impact 12,240 sq ft to construct a temporary bridge and complete repairs and upgrades to the existing Pingree Bridge.

APPROVE PERMIT:

Impact 12,240 sq ft to construct a temporary bridge and complete repairs and upgrades to the existing Pingree Bridge.

With Conditions:

1. All work shall be in accordance with plans by Vanasse, Hangen, Brustlin, Inc. dated July 2009 and received by the Department of Environmental Services ("DES") on September 4, 2009.
2. The restoration of the temporary impact areas shall be completed as shown on the Restoration Plans dated September 1, 2009 and received by the Department on September 4, 2009 within 60 days of the removal of the temporary bridge.
3. No additional areas within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained

from DES.

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit is contingent on approval of the riverbank impacts by the DES Wetlands Bureau.

With Findings:

1. This project meet the intent and purpose of RSA 483-b and, therefore, is approved in accordance with RSA 483-B:9, IV-b.

2009-02090 ALBERT, DANIEL
SUCCESS Success Pond

Requested Action:

Impact 701 sq ft for the purpose of installing a new septic system.

APPROVE PERMIT:

Impact 701 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Karen Dickson, North Country Septic Design dated September 5, 2009 and received by the Department of Environmental Services ("DES") on September 14, 2009.
2. No more than 5.90% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 22,572 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,286 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-02091 SULLIVAN, KRISTEN
BRISTOL Newfound Lake

Requested Action:

Impact 4,550 sq ft for the purpose of constructing a new deck and expanding an existing driveway.

APPROVE PERMIT:

Impact 4,550 sq ft for the purpose of constructing a new deck and expanding an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Scott Giles, PLS, dated September 9, 2009, and received by the Department of Environmental Services ("DES") on September 14, 2009.
2. No more than 14.98% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,670 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state 4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-02094 DAVIDSON, PHILIP & LORRAINE
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 1,473 sq ft for the purpose of constructing a new foundation under an existing residential dwelling.

APPROVE PERMIT:

Impact 1,473 sq ft for the purpose of constructing a new foundation under an existing residential dwelling.

With Conditions:

1. All work shall be in accordance with plans submitted by David and Philip Lorrain, received by the Department of Environmental Services ("DES") on September 14, 2009.
2. No more than 3.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional

approval is obtained from DES.

3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2009-02098 MOORE, JAMES & CINDY
WHITEFIELD Burns Pond

Requested Action:

Impact 17,650 sq ft to construct a single family dwelling and driveway.

APPROVE PERMIT:

Impact 17,650 sq ft to construct a single family dwelling and driveway.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated August 1, 2009 and received by the Department of Environmental Services ("DES") on September 15, 2009.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 4.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 20,802 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 15,353 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not

previously permitted or grandfathered.

2009-02099 JOHNSON, MILDRED
ALTON Lake Winnepesaukee

Requested Action:

Impact 1,685 sq ft for septic system upgrade and installation of two drywells.

APPROVE PERMIT:

Impact 1,685 sq ft for septic system upgrade and installation of two drywells.

With Conditions:

1. All work shall be in accordance with plans by Thomas W. Varney, P.E. dated July 22, 2009 and received by the Department of Environmental Services ("DES") on September 15, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 41.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 308 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 594 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02105 LESSARD, MICHAEL
EASTON Wild Ammonoosuc Black River

Requested Action:

Impact 730 sq ft to install septic system.

APPROVE PERMIT:

Impact 730 sq ft to install septic system.

With Conditions:

1. All work shall be in accordance with plans by Michael L. Lessard dated July 7, 2009 and received by the Department of Environmental Services ("DES") on September 16.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 1.08% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 108,240 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 54,120 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain

in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2009-01243 THE NUBY TRUST
HANCOCK Nubanusit Lake

Requested Action:

Impact 9,600 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

Inspection Date: 08/11/2009 by Raymond M Reimold

APPROVE PERMIT:

Impact 9,600 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installation of a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants, dated August 27, 2009, and received by the Department of Environmental Services ("DES") on September 4, 2009 and September 29, 2009.

2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until this permit has been recorded at the appropriate Registry of Deeds and a copy of the recorded permit with a waiver is sent to the department by certified mail, return receipt requested.

3. No more than 12.80% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 6,110 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,082 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Silt fencing must be removed once the area is stabilized.

14. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

15. All stormwater controls shall be designed and maintained to effectively absorb and infiltrate stormwater.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Nubanusit Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The applicant has proposed to enhance the waterfront buffer and natural woodland buffer with native vegetation.

4. The applicant has proposed to install a new septic system with a greater setback from the reference line.

5. The applicant has proposed to decrease the overall area of imperviousness within the protected shoreland by 8.75%

6. The applicant has proposed to enhance the natural woodland and waterfront buffers, install a new septic system, and significantly reduce the quantity of impervious area within the protected shoreland, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-01818 WARNER, TOWN OF **WARNER Warner River**

Requested Action:

Impact 1,060 sq ft for the purpose of installing a new storm drain and upgrading an existing catch basin.

APPROVE PERMIT:

Impact 1,060 sq ft for the purpose of installing a new storm drain and upgrading an existing catch basin.

RULE WAIVER APPROVED: Env-Wq 1406.12 (h) is hereby waived to allow omission of a shoreland application worksheet.

With Conditions:

1. All work shall be in accordance with plans submitted by Allan N. Brown and received by the Department of Environmental Services ("DES") on August 17, 2009.

2. The project as proposed will not increase the impervious area of the lot within the protected shoreland.

3. The proposed stormwater management plan shall be designed, implemented and maintained to effectively infiltrate and absorb stormwater.

4. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing

deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V(a).

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Silt fencing must be removed once the area is stabilized.

With Findings:

THIS DECISION IS BASED ON THE FOLLOWING FINDINGS:

1. Granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety.
2. Granting the request will not result in an impact on abutting properties that is more significant than that which would result from complying with the rule.
3. Granting the request is consistent with the intent and purpose of the rule being waived.

**2009-01969 MANNING, VIRGINIA & CHRISTINE
HAMPTON Atlantic Ocean**

Requested Action:

Impact 1,540 sq ft for the purpose of expanding an existing, nonconforming, primary structure.

APPROVE PERMIT:

Impact 1,540 sq ft for the purpose of expanding an existing, nonconforming, primary structure.

With Conditions:

1. All work shall be in accordance with plans by Doucet Survey, Inc., dated August 19, 2009, and received by the Department of Environmental Services ("DES") on August 28, 2009.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 35.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All proposed pervious technologies will be designed, installed and maintained to effectively infiltrate and absorb stormwater.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. Silt fencing must be removed once the area is stabilized.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage adjacent to Atlantic Ocean and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, V (g)(1), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The applicant has proposed to decrease the quantity of impervious area of the lot within the protected shoreland by 6.8%.

4. The applicant has proposed to significantly decrease the quantity of area composed of impervious surfaces within the protected shoreland, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.